

## **REMARKS**

The applicants have considered the Office action dated July 8, 2010, and the references it cites. By way of this response, claims 31-48 and 50-62 have been amended, and claim 49 has been cancelled without prejudice to its further prosecution. No new matter has been added. It is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

### **Title**

As an initial matter, the title of the specification has been amended for clarity by replacing the word “colour” with the word “color.”

### **Allowed Claims**

The Office action indicated that claims 31-48 and 57-62 are allowed. Claims 31-48 and 57-62 have been amended for clarity by: (1) replacing instances of the word “colour” with the word “color;” (2) replacing instances of the word “said” with the word “the” and inserting the word “the” where appropriate; (3) deleting extraneous dashes (“-”) appearing between words; (4) deleting extraneous use of the phrase “so as;” (5) clarifying that the word “ultraviolet” defines the acronym “UV;” and (6) moving the position of the phrase “to a display substrate” in the preambles of the independent claims. These amendments are merely clarifying in that the amended claims are intended to state the same thing as the claim was intended to state prior to amendment (i.e., to have the same scope both before and after the amendments). Additionally, claims 31, 35, 47 and 48 have been amended to remove “step” and “means” language to make it clear that the claims do not fall under 35 U.S.C. § 112, sixth paragraph. Consequently, it is respectfully submitted that claims 31-48 and 57-

62 remain allowable, and the amendments do not give rise to prosecution history estoppel or limit the scope of equivalents of the claims under the doctrine of equivalents.

### **Allowable Claims**

The Office action indicated that claims 52, 53, 55 and 56 are directed to allowable subject matter. Claims 52, 53, 55 and 56 have been amended for clarity by: (1) replacing instances of the word “colour” with the word “color;” (2) replacing instances of the word “said” with the word “the” and inserting the word “the” where appropriate; (3) deleting extraneous use of the phrases “as” and “so as;” and (4) clarifying that the word “ultraviolet” defines the acronym “UV.” These amendments are merely clarifying in that the amended claims are intended to state the same thing as the claim was intended to state prior to amendment (i.e., to have the same scope both before and after the amendments). Additionally, claims 52, 53, 55 and 56 have been amended to remove “step” language to make it clear that the claims do not fall under 35 U.S.C. § 112, sixth paragraph. Consequently, it is respectfully submitted that claims 52, 53, 55 and 56 remain directed to allowable subject matter, and the amendments do not give rise to prosecution history estoppel or limit the scope of equivalents of the claims under the doctrine of equivalents.

### **Art Rejections: Claim 51**

The Office action rejected independent claim 51 as being unpatentable over *Zavracky* (U.S. 2002/0030767) in view of *Breddels* (U.S. 4,830,469) under 35 U.S.C. § 103(a). The applicants respectfully traverse this rejection.

Independent claim 51 recites a method of applying emissive color elements and addressing busbars to a display substrate in a defined alignment, wherein the

color elements at least partially absorb ultraviolet (UV) light and are spaced apart from each other by regions that are substantially transmissive of UV light. The art relied upon by the Office fails to teach or suggest such a method for at least the following reasons.

In its rejection of claim 51, the Office action acknowledges that “*Zavracky* does not disclose an embodiment wherein the color elements at least partially absorb ultraviolet light and are spaced apart from each other by regions that are substantially transmissive of UV light.” (See the Office action, p. 3.) The Office action relies on *Breddels* to overcome this deficiency of *Zavracky*. Although *Breddels* describes a color display cell including a layer of colored phosphor dots that emit colored light when subjected to UV light (see *Breddels*, 8:10-16), *Breddels* fails to teach or suggest that its colored phosphor dots are spaced apart from each other by regions that are substantially transmissive of UV light, unlike the color elements recited in claim 51. Instead, *Breddels* describes a cell medium, positioned over the layer of colored phosphor dots, which can be made to selectively absorb or pass UV light. (*Id.* at 7:55-8:13.) However, *Breddels* does not teach or suggest that the colored phosphor dots themselves are spaced apart from each other by regions that are substantially transmissive of UV light.

Accordingly, the combination of *Zavracky* and *Breddels* fails to teach or suggest color elements that are spaced apart from each other by regions that are substantially transmissive of UV light, as recited in claim 51. Therefore, claim 51 is allowable over the art relied upon by the Office action, and withdrawal of the rejections of claim 51 and all claims depending therefrom is respectfully requested.

### **Art Rejections: Claim 54**

The Office action rejected independent claim 54 as being unpatentable over *Zavracky* in view of *Breddels* under 35 U.S.C. § 103(a). The applicants respectfully traverse this rejection.

Independent claim 54 recites a method of applying color elements and addressing busbars to a display substrate in a defined alignment, wherein the color elements at least partially absorb UV light and are spaced apart from each other by regions that are substantially transmissive of UV light. Unlike claim 54, the combination of *Zavracky* and *Breddels* fails to teach or suggest color elements that are spaced apart from each other by regions that are substantially transmissive of UV light. Therefore, claim 54 is allowable over the art relied upon by the Office action, and withdrawal of the rejections of claim 54 and all claims depending therefrom is respectfully requested

### **Further Remarks**

Before closing, the applicants note that at least the following amendments to claims 50, 51 and 54 are clarifying and, thus, not necessary for patentability:

1. Replacing of “colour” with “color;”
2. Replacing of “said” with “the;”
3. Clarifying that the word “ultraviolet” defines the acronym “UV;” and
4. Moving the position of the phrase “to a display substrate.”

The above noted amendments are merely clarifying in that the amended claims are intended to state the same thing as the claim was intended to state prior to amendment (i.e., to have the same scope both before and after the amendments). Consequently, the clarifying amendments do not give rise to prosecution history

estoppel or limit the scope of equivalents of the claims under the doctrine of equivalents.

In general, the Office action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the applicants will not address such statements at the present time. However, the applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

The Commissioner is hereby authorized to charge any deficiency or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 or under other applicable rules (except payment of issue fees) to Deposit Account No. 08-2025. Please refund any overpayment to the address associated with Deposit Account No. 08-2025.

In addition, if a petition for an extension of time under 37 CFR 1.136(a) is necessary to maintain the pendency of this application and is not otherwise requested in any accompanying papers, the applicant requests that the Commissioner consider this paper to be a petition for an appropriate extension of time and hereby authorize the Commissioner to charge the fee as set forth in 37 CFR 1.17(a) corresponding to the needed extension of time to the above deposit account.

Please direct correspondence related to this application to the address associated with USPTO Customer No. 022879.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC.  
150 South Wacker Drive, Suite 2100  
Chicago, Illinois 60606  
(312) 580-1020

By: /William E. Jacklin/  
William E. Jacklin  
Registration No. 64,894

**October 6, 2010**